

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

T. DORINA PAPAGEORGIOU,
Plaintiff,

vs.

THE UNIVERSITY OF TEXAS HEALTH
SCIENCE CENTER AT HOUSTON
Defendant.

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Civil Action No. 4:10-CV-240

DEFENDANT'S NOTICE OF REMOVAL

NOW COMES Defendant, THE UNIVERSITY OF TEXAS HEALTH SCIENCE
CENTER AT HOUSTON, and would respectfully show that:

1. This removal is pursuant to 28 U.S.C. § 1441(b). Plaintiff alleges a violation of federal law, namely Title VII of the Civil Rights Act of 1964. *See* Plaintiff's Original Petition at ¶¶ 22-26. Plaintiff also brings a claim for breach of contract under Texas law. *See* Plaintiff's Original Petition at ¶¶ 16-21.

2. This action was originally filed in the 333rd Judicial District Court of Harris County, Texas, and designated Cause No. 2009-74116. Plaintiff is T. Dorina Papageorgiou; Defendant is The University of Texas Health Science Center at Houston. Venue is proper in the United States District Court for the Southern District of Texas, Houston Division under 28 U.S.C. §1441(a) because the state court where the suit has been pending is located in this district and division.

3. Plaintiff has requested a trial by jury within her Original Petition.

4. Plaintiff's allegations regarding retaliation in the employment context raise a federal question under the federal Civil Rights Act of 1964.

5. Plaintiff filed her Original Petition in the state district court on November 9, 2009. The Corporate Citation was issued on December 20, 2009, and served upon the Defendant on January 4, 2010. Defendant has thirty (30) days in which to remove. 28 U.S.C. §1446(b). Therefore, this removal is timely. Defendant's Original Answer and Affirmative Defenses to Plaintiff's Original Petition was filed in the state district court on January 20, 2010.

6. A copy of all process, pleadings, and orders served upon Defendant in the state court suit are being filed with this notice as required by 28 U.S.C. §1446(a).

7. Defendant will promptly file a copy of this notice of removal with the clerk of the state court where the suit has been pending.

ACCORDINGLY, Defendant prays that this cause be removed to the United States District Court for the Southern District of Texas, Houston Division, pursuant to § 1441 of Title 28 of the United States Code.

Respectfully submitted,

GREG ABBOTT
Attorney General of Texas

C. ANDREW WEBER
First Assistant Attorney General

DAVID S. MORALES
Deputy Attorney General for Civil Litigation

ROBERT B. O'KEEFE
Chief, General Litigation Division

/s/ Timothy E. Bray
TIMOTHY EARL BRAY

Texas Bar No. 24061240
Southern District I.D. No. 898728
Assistant Attorneys General
General Litigation Division
P.O. Box 12548, Capitol Station
Austin, Texas 78711-2548
(512) 463-2120
(512) 320-0667 FAX

*Attorney for the University of Texas Health
Science Center At Houston*

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document has been sent by U.S. certified mail, return receipt requested on January 26, 2010 to:

Andrew S. Golub
Dow Golub Remels & Beverly, LLP
8 Greenway Plaza, 14th Floor
Houston, Texas 77046

/s/ Timothy E. Bray
TIMOTHY E. BRAY
Assistant Attorney General